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C O N F I D E N T I A L ASUNCION 000415

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E.O. 12958: DECL: 06/24/2028  
TAGS: [PGOV](#) [PA](#)  
SUBJECT: TUG OF WAR OVER PRESIDENT DUARTE'S RESIGNATION

Classified By: DCM Michael J. Fitzpatrick; reasons 1.4 (b) and (d).

¶1. (C) As planned, President Duarte Frutos submitted his resignation to Congress early June 23 in an effort to prepare to take his Senate seat with the new Congress July 1. Duarte's presidential term expires August 15, when President-elect Fernando Lugo takes office. Since Duarte may not constitutionally hold two elected offices simultaneously, he must resign the presidency before the end of his term. (NOTE: The constitution provides that all ex-presidents become lifetime senators with voice but no vote - and no immunity. Instead, Duarte won a senate seat as the number one senator on the Colorado list for the April 20 elections. END NOTE).

¶2. (C) Congress called a joint special session June 24 to accept or reject Duarte's resignation, in which each chamber of Congress must have a quorum to vote on the resignation. Opposition senators (12 Liberals, 7 Beloved Fatherland, 2 PPS and 1 PEN senators, plus three dissident Colorados) did not attend the June 24 session. Because the fifteen remaining Colorado and five UNACE senators fell three short of quorum, the special session was adjourned and will be reconvened for June 25. President-elect Lugo has expressed a predisposition to allow Duarte to resign the presidency. UNACE leader Lino Oviedo concurs, and told Pol/Econ Chief June 16 that challenges to Duarte's legal ability to run for the Senate should have been made at the proper time in the electoral calendar prior to April 20. Political analysts believe that if the current Congress fails to accept Duarte's resignation this week, the new Congress (in which Colorados and UNACE will have quorum in both houses) may ratify it after July 1. In the event that Duarte's resignation is accepted, Vice President Oviedo will finish Duarte's term.

¶3. (C) COMMENT: President Duarte has attempted a number of tactics to force acceptance of his resignation, including threatening to slow the Lugo transition process if he doesn't get his way. While Lugo described Duarte's threat as unhelpful, he appears to remain inclined to allow Duarte to resign the presidency early. Once Duarte's resignation is accepted, his next hurdle -- convincing the incoming (as yet unidentified) Senate president to allow him to take his oath as senator -- will be more difficult, as that process is discretionary. Then, if Duarte secures his senate seat, his real challenges may begin once President-elect Lugo takes office, as Duarte and many of his Colorado colleagues could face impeachment charges related to corruption. END COMMENT.

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